IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY SEVENTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI JUSTICE G. BIKSHAPATHY

and
THE HON'BLE SRI JUSTICE Ch.S.R.K. PRASAD

WRIT PETITION NO : 12571 of 2004

Between:

SK.Sulthan, S/o Ramuthunnisa
7th Cross Street, Podalakur Road, Nellore

..... PETITIONER

AND

1 The Sub-Inspector of Police C.C.S.Police Station, Nellore, Nellore District
2 The Superintendent of Police, Nellore District, at Nellore

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order, direction, or a writ, more particularly one in the nature of Writ of Habeas Corpus directing the respondents herein to produce the son of the petitioner herein viz. S.K.Fayaz before this Hon'ble Court who was illegally taken away by the Police personnel of C.C.S.Police Station Nellore, on 11-7-2004 at about 2.00 AM apprehending danger to his life and set him at liberty forthwith, and to pass such other or further orders as this Hon'ble Court may deem fit and proper in the circumstances of the case

Counsel for the Petitioner:FAX MESSAGE

Counsel for the Respondents: THE ADVOCATE GENERAL

The Court made the following ORDER: (per GB,J)

The fax message was received alleging that one Mr. Sk.Fayaz was arrested by the police on 11.07.2004 and so far he was not produced before any Court, and therefore, sought directions of this Court.

2. The counter has now been filed by the Inspector of Police stating that the said Fayaz was not arrested on 11.07.2004. But, however, on a complaint lodged by one Mr. Siddavarapu Srinivasulu Reddy on 19.07.2004 stating that some unknown offenders committed theft of one T.V. and mixi by break opening the lock of the house, a crime was registered in Cr.No. 123 of 2004 for the offences punishable under Sections 457 and 380 I.P.C. On 21.07.2004, police apprehended Sk. Fayaz, arrested and produced him before the learned Judicial Magistrate of First Class, Kavali, who remanded him. He was lodged in Sub-Jail, Kavali. The investigation is in progress

3. In view of this, I do not find any ground to proceed further in the matter. The writ petition is accordingly, dismissed.

(G.BIKSHAPATHY.J)

Dated: 27.07.2004

(CH.S.R.K. PRASAD.J)

ksld

To

1 The Sub-Inspector of Police C.C.S.Police Station, Nellore, Nellore District
2 The Superintendent of Police, Nellore District, at Nellore

3.Two Ccs. To the Advocate General, High Court of A.P., Hyderabad (OUT)

4.The officer concerned, PIL Cell, High Court of A.P., Hyderabad.

5. Two CD copies.